

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In re:

Multidistrict Litigation  
No. 09-md-2059 (RHK/JJK)

Activated Carbon-Based Hunting  
Clothing Marketing and Sales Practice  
Litigation

THIS DOCUMENT RELATES TO:  
Buetow v. A.L.S. Enterprises, Inc., et al. Civ. No. 09-3970 (RHK/JJK)

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**DECLARATION OF THOMAS J. LEACH IN SUPPORT OF PLAINTIFFS' MOTION  
FOR PARTIAL SUMMARY JUDGMENT**

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I, Thomas J. Leach, declare as follows:

I am an attorney in the law firm of Merchant and Gould, one of Plaintiffs' Counsel in the above-captioned action. I submit this declaration in Support of Plaintiffs' Motion for Partial Summary Judgment.

1. Attached hereto as Exhibit 1 is a true and correct copy of a Fall 2006 article from *Point Blank* bates numbered PLMN000030, 56-58.

2. Attached hereto as Exhibit 2 is a true and correct copy of the June 8, 2007 Corrective Filing for Amendment and Reply Under 37 CFR 1.550 bates numbered ALSMN005173-5208. (FILED UNDER SEAL)

3. Attached hereto as Exhibit 3 is a true and correct copy of the Declaration of Myles Keller bates numbered ALSMN005627-5631. (FILED UNDER SEAL)

4. Attached hereto as Exhibit 4 is a true and correct copy of the Deposition Transcript of Michael Andrews taken on February 11, 2009.

5. Attached hereto as Exhibit 5 is a true and correct copy of the Declaration of

Myles Keller bates numbered as ALSMN005660-5666. (FILED UNDER SEAL)

6. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the Deposition Transcript of Gregory Sesselman taken on February 10, 2009. (FILED UNDER SEAL)

7. Attached hereto as Exhibit 7 is a true and correct copy of a Scent-Lok advertisement bates numbered IOI0198-199.

8. Attached hereto as Exhibit 8 is a true and correct copy of a Scent-Lok advertisement bates numbered Campbell00064.

9. Attached hereto as Exhibit 9 is a true and correct copy of a Scent-Lok advertisement bates numbered IOI0137-138.

10. Attached hereto as Exhibit 10 is a true and correct copy of a Scent-Lok advertisement bates numbered IOI0196-197.

11. Attached hereto as Exhibit 11 is a true and correct copy of a Scent-Lok advertisement bates numbered IOI0223-224.

12. Attached hereto as Exhibit 12 is a true and correct copy of a Scent-Lok advertisement bates numbered ALSMN158386.

13. Attached hereto as Exhibit 13 is a true and correct copy of a Scent-Lok advertisement bates numbered ALSMN010631. (FILED UNDER SEAL)

14. Attached hereto as Exhibit 14 is a true and correct copy of a Scent-Blocker advertisement bates numbered PLMN000024.

15. Attached hereto as Exhibit 15 is a true and correct copy of a Gander Mountain advertisement bates numbered GM001414.

16. Attached hereto as Exhibit 16 is a true and correct copy of the Scent-Lok Science

bates numbered as ALSMN9975-9979. (FILED UNDER SEAL)

17. Attached hereto as Exhibit 17 is a true and correct copy of excerpts from Cabela's 1995 Catalog bates numbered as CW001995.

18. Attached hereto as Exhibit 18 is a true and correct copy of a Scent-Lok advertisement bates numbered IOI0205-208.

19. Attached hereto as Exhibit 19 is a true and correct copy of a Scent-Lok advertisement bates numbered IOI0124-126.

20. Attached hereto as Exhibit 20 is a true and correct copy of Exhibit No. 327 to the Deposition of Thomas Hartman.

21. Attached hereto as Exhibit 21 is a true and correct copy of a Scent-Lok hang tag bates numbered PLMN000135.

22. Attached hereto as Exhibit 22 is a true and correct copy of a Scent-Lok advertisement bates numbered ALSMN016535-016536. (FILED UNDER SEAL)

23. Attached hereto as Exhibit 23 is a true and correct copy of the Deposition of Mike Buetow taken on October 21, 2008.

24. Attached hereto as Exhibit 24 is a true and correct copy of the Deposition of Jeff Brosi taken on October 22, 2008.

25. Attached hereto as Exhibit 25 is a true and correct copy of the Deposition of Joe Rohrbach taken on October 21, 2008.

26. Attached hereto as Exhibit 26 is a true and correct copy of the Deposition of Dennis Deeb taken on October 22, 2008.

27. Attached hereto as Exhibit 27 is a true and correct copy of the Deposition of Gary Richardson taken on October 20, 2008.

28. Attached hereto as Exhibit 28 is a true and correct copy of the Expert Report of Thomas Hartman with Corrections dated September 11, 2009. (FILED UNDER SEAL)

29. Attached hereto as Exhibit 29 is a true and correct copy of the Deposition Transcript of Thomas Hartman dated September 3, 2009. (FILED UNDER SEAL)

30. Attached hereto as Exhibit 30 is a true and correct copy of Scent-Lok washing procedures bates numbered ALSMN000011-19. (FILED UNDER SEAL)

31. Attached hereto as Exhibit 31 is a true and correct copy of an excerpt from *Volatiles Emitted by Humans* bates numbered as ALSMN12654. (FILED UNDER SEAL)

32. Attached hereto as Exhibit 32 is a true and correct copy of the Outside Lab Test Results for ALS bates numbered as MIL047531. (FILED UNDER SEAL)

33. Attached hereto as Exhibit 33 is a true and correct copy of the Deposition Transcript of Amos Turk taken on May 14, 2008.

34. Attached hereto as Exhibit 34 is a true and correct copy of an email dated November 20, 2006 from Kekoa Rosa to Amos Turk bates numbered AT00167-168.

35. Attached hereto as Exhibit 35 is a true and correct copy of an email dated November 21, 2006 bates numbered AT00169-170.

36. Attached hereto as Exhibit 36 is a true and correct copy of an email dated November 22, 2006 from Nick Andrews to Amos Turk bates numbered AT00171-172.

37. Attached hereto as Exhibit 37 is a true and correct copy of the Consulting Agreement Addendum for Dr. Amos Turk bates numbered AT00175-188.

38. Attached hereto as Exhibit 38 is a true and correct copy of the Expert Report of Dr. Larry Miller dated May 1, 2009. (FILED UNDER SEAL)

39. Attached hereto as Exhibit 39 is a true and correct copy of Scent-Lok

Technologies Corporate Brochure Outline dated April 15, 2004 bates numbered  
ALSMN117120-117121. (FILED UNDER SEAL)

40. Attached hereto as Exhibit 40 is a true and correct copy of the Deposition  
Transcript of Robert Olach dated February 26-27, 2008.  
41. Attached hereto as Exhibit 41 is a true and correct copy of an email dated  
December 18, 2006 from Holger Eichhorn to Greg Paquin bates numbered ALSMN000024-26.  
(FILED UNDER SEAL)

42. Attached hereto as Exhibit 42 is a true and correct copy of the Summary of  
Experimental Results, February 6, 2007 bates numbered ALSMN000020-22. (FILED UNDER  
SEAL)

43. Attached hereto as Exhibit 43 is a true and correct copy of an email dated  
September 19, 2003 from Charles Ehlers to Rowan Langford bates numbered MIL001134.  
(FILED UNDER SEAL)

44. Attached hereto as Exhibit 44 is a true and correct copy of a Fox 9 News Video  
bates numbered PLMN003402.

45. Attached hereto as Exhibit 45 is a true and correct copy of the Deposition  
Transcript of Maureen Goltz taken on July 9, 2009.

46. Attached hereto as Exhibit 46 is a true and correct copy of an email dated  
September 17, 2008 bates numbered ALSMN170742-170748. (FILED UNDER SEAL)

47. Attached hereto as Exhibit 47 is a true and correct copy of the Deposition  
Transcript of Everett Tarrell taken on June 23, 2009.

48. Attached hereto as Exhibit 48 is a true and correct copy of the Deposition  
Transcript of Colin Roemer taken on June 17, 2009.

49. Attached hereto as Exhibit 49 is a true and correct copy of excerpts from [www.scentlok.com](http://www.scentlok.com) bates numbered ALSMN009952-53. (FILED UNDER SEAL)

50. Attached hereto as Exhibit 50 is a true and correct copy of an email dated October 27, 2006 bates numbered ALSMN057028-57031. (FILED UNDER SEAL)

51. Attached hereto as Exhibit 51 is a true and correct copy of an email dated October 8, 2002 from the PST documents produced by ALS. (FILED UNDER SEAL)

52. Attached hereto as Exhibit 52 is a true and correct copy of the Deposition Transcript of Myles Keller taken on August 17, 2009.

53. Attached hereto as Exhibit 53 is a true and correct copy of Scent-Lok's Guide to Total Scent Control bates numbered ALSMN001768-1777. (FILED UNDER SEAL)

54. Attached hereto as Exhibit 54 is a true and correct copy of "Odor-adsorptive clothing, environmental factors, and search-dog ability" by John A. Shrivik bates numbered ALSMN001652-1658. (FILED UNDER SEAL)

55. Attached hereto as Exhibit 55 is a true and correct copy of an advertisement from Scent-Lok bates numbered IOI0211-212.

56. Attached hereto as Exhibit 56 is a true and correct copy of an advertisement from Scent-Lok bates numbered IOI0037-40.

I declare under penalty of perjury the foregoing to be true and correct.

Executed this 15th day of September, 2009.

s/Thomas J. Leach  
Thomas J. Leach